THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION. No. 26672 of 2007

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Date: 13.12.2007

Between:

A. Srinu

… Petitioner

AND

Authorized Officer-cum-Divisional Forest Officer,
Badhrachalam (North Division)
& others.

… Respondents

Counsel for the petitioner : Sri Mayur for
Sri B. Vijaysen Reddy

THE HON'BLE SRI JUSTICE C.V. NAGARJUNA REDDY

WRIT PETITION. No. 26672 of 2007

ORDER:-

This writ petition is filed for a writ of mandamus to declare the action of respondent Nos.1 and 2 in seizing the tractor-trailor bearing registration Nos. AP 36G 1379 and AP 20T 8897 respectively, as illegal and arbitrary.

Heard Sri Mayur representing Sri B. Vijaysen Reddy, learned counsel for the petitioner.

A perusal of the record shows that on 01.09.2007 the abovementioned tractor with trailor was seized by the Badhrachalam Forest Range Officer together with 70 teak logs of 1.300 cubic metre. On 22.10.2007, notice for holding enquiry under Sections 44 (2A) and (2B) of the A.P. Forest Act, 1967 has been issued calling upon respondent No.3 to show cause why the seized teak logs along with the vehicle should not be confiscated to the Government as per law. The petitioner filed the present writ petition questioning the seizure itself. According to the petitioner, he is the owner of the vehicle in dispute and that he has no knowledge of commission of the alleged forest offence.

In view of the fact that the enquiry is pending before respondent No.1, I am not inclined to go into the merits of the case. Instead, the writ petition can be disposed of with a direction to respondent No.1 to permit the petitioner to submit his

representation in the proposed enquiry and complete the enquiry within a period of six weeks from the date of receipt of a copy of this order. Ordered accordingly.

As a sequel to disposal of the writ petition, WPMP.No.34803 of 2007 filed by the petitioner for interim relief is disposed of as infructuous.

C.V. NAGARJUNA REDDY, J

Date: 13.12.2007
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